
OLR Bill Analysis

HB 6332

AN ACT CONCERNING TOXIC FIRE RETARDANTS IN CHILDREN'S PRODUCTS.

SUMMARY:

This bill prohibits any person from manufacturing, selling, offering for sale, or distributing in Connecticut any children's product containing TDCPP, TDCP, TCEP, or TCPP ("tris flame retardant chemicals"). Child restraint systems and motor vehicle interior material are exempt from the ban but they must meet federal motor vehicle safety flammability standards. Also, the ban does not apply to a person who resells, offers for resale, or distributes children's products primarily for personal, family, or household use.

The Department of Consumer Protection (DCP) commissioner must enforce the bill, within available appropriations. The bill requires him, after providing notice and a hearing in accordance with the Uniform Administrative Procedure Act, to impose a civil fine on violators of up to \$1,000 per day for the first violation and up to \$2,500 per day for subsequent violations. Fines must be deposited into the consumer protection enforcement account, which DCP uses to fund positions and other related expenses for the enforcement of its licensing and registration laws. Under current law, civil fines are usually deposited in the General Fund.

Under the bill, (1) "TDCPP" and "TDCP" mean Tris (1, 3-dichloro-2-propyl) phosphate, (2) "TCEP" means (2-chloroethyl) phosphate, and (3) "TCPP" means Tris (1-chloro-2-propyl) phosphate. The bill defines "children's product" as any product, including clothing, toys, nursing pillows, crib mattresses, and changing pads designed or intended primarily for use by children age three or younger.

EFFECTIVE DATE: October 1, 2014

BACKGROUND***Flame Retardant Chemicals***

The flame retardant chemicals covered by the bill are collectively referred to as “tris” chemicals. The tris chemicals listed are chlorinated, meaning they contain chlorine bound to carbon. Brominated tris, which contains bromine bound to carbon, was banned from children's pajamas by the Consumer Product Safety Commission in 1977 after a National Cancer Institute study showed the chemical caused cancer in test animals.

TDCPP has been designated as a carcinogen by California. TCEP is also classified as a carcinogen by California and a reproductive hazard by the European Union. To date, there is little information available on TCPP's toxicity. TCPP is structurally similar to TDCPP and TCEP.

COMMITTEE ACTION

Children Committee

Joint Favorable

Yea 8 Nay 4 (02/28/2013)